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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.2251 OF 2005

Safia Akbarali (Sr. Citizen) ... Petitioner

Vs.

Union of India & Ors. ... Respondents

Mr. R.M. Nakhawa i/b Mr. Vasant Dhawan for the petitioner.

Mr. S.S. Pahale with Mr. R.C. Master for respondent 1.

Mr. Niranjan Pandit, A.G.P. for respondent 2.

CORAM: SMT. RANJANA DESAI &
ABHAY S. OKA, JJ.

DATED: 25TH NOVEMBER 2005.

P.C.:-

1. The petitioner is a Pakistani citizen. The petitioner has prayed in this petition that the petitioner's application dated 29/6/2005 for permanent stay in India be directed to be decided in accordance with law.

2. We have heard the learned counsel for the parties.

3. There is no dispute about the fact that the petitioner has not made any application to the Collector as per Rule 7 of the Citizenship Rules, 1955. Since the application is not addressed to the appropriate authority, there is no question of giving any direction

to decide the application. In support of his case, the learned counsel for the petitioner has relied on the judgment of the Supreme Court in **National Human Rights Commission vs. State of Arunachal Pradesh & Anr., (1996) 1 SCC 742.**

4. In our opinion, this judgment is not applicable to the facts of the present case because in the present case the application is not addressed to the appropriate authority and the facts of this case materially differ from the facts which were before the Supreme Court. We are unable to entertain the petition. Hence, the petition is dismissed.

(SMT. RANJANA DESAI, J.)

(ABHAY S. OKA, J.)